

**MEETING MINUTES**  
**Board of Mental Health Practice**

November 1, 2019

**1. ROLL CALL**

The meeting of the Board of Mental Health Practice was called to order by the Chair, Susan Reay, at 9:16 a.m. at the Best Western Plus, 2201 Wildcat Cir, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law.

The following members answered Roll Call:

**Members Present (10):**

Laurie Andrews, Member  
Dale Battleson, Member  
Chante Chambers, Member  
Cassandra Dittmer, Member  
L. Janeen Gill, Member  
David Hof, Member  
Thomas Maxson, Secretary  
Terrance Moore, Vice-Chair  
Susan Reay, Chair  
Sarita Ruma, Member

**Others Present:**

Mindy Lester, Assistant Attorney General  
Kris Chiles, Program Manager, Licensure Unit  
Angela Andersen, Health Licensing Coordinator, Licensure Unit  
Anna Harrison, Compliance Monitor, Licensure Unit  
Carla Cue, Investigations

A quorum was present and the meeting convened.

**2. ADOPTION OF AGENDA**

**MOTION:** Moore moved, seconded by Andrews, to adopt the agenda. A voice vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

**3. APPROVAL OF MINUTES (9-6-19)**

**MOTION:** Andrews moved, seconded by Maxson, to approve the minutes of 9-6-19. A voice vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Maxson, Moore, Reay, Ruma (9). Voting nay: None (0). Absent: None (0). Abstain: Hof (1). Motion carried.

**4. INVESTIGATIVE REPORTS & OTHER CONFIDENTIAL INFORMATION**  
**CLOSED SESSION**

**MOTION:** Maxson moved, seconded by Ruma, to enter into closed session at 9:20 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Reay repeated the motion purpose. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

9:25 a.m. Cue entered the meeting  
9:41 a.m. Hof departed the meeting (conflict of interest)  
9:47 a.m. Hof re-entered the meeting  
10:04 a.m. Harrison departed the meeting  
10:06 a.m. Harrison re-entered the meeting  
10:14 a.m. Cue departed meeting

10:14 a.m. Meeting break  
10:24 a.m. Meeting resumed  
10:29 a.m. Andrews departed the meeting  
10:30 a.m. Andrews re-entered the meeting  
11:05 a.m. Ruma and Reay departed the meeting (conflict of interest)  
11:15 a.m. Harrison departed the meeting  
11:17 a.m. Harrison re-entered the meeting  
11:25 a.m. Ruma and Reay re-entered the meeting

**MOTION:** Moore moved, seconded by Andrews, to enter into open session at 11:25 a.m. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

11:25 a.m. Lester departed meeting  
11:27 a.m. Lester re-entered meeting  
11:27 a.m. Harrison departed meeting

## **5. REVIEW, RECOMMENDATIONS, AND REPORT OUT OPEN SESSION**

- **Applications, Mail Ballot summary Report, and Reinstatements**

### **Conviction Reviews:**

Kristen Skavdahl – Provisional Mental Health Practitioner and Provisional Certified Master Social Worker

**MOTION:** Battleson moved, seconded by Hof, to recommend issuance of the provisional licenses. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Tara Myers – Mental Health Practitioner

**MOTION:** Battleson moved, seconded by Ruma, to recommend issuance of the provisional license. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

William Robinson – Independent Mental Health Practitioner

**MOTION:** Dittmer moved, seconded by Moore, to recommend denial the application due to a Settlement Agreement, Stipulation, and Order for Interim Cessation of Practice issued by the Wyoming Mental Health Professions Licensing Board to the applicant, dated January 18, 2019. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Kendra Williams-Russell-EL – Provisional Mental Health Practitioner

**MOTION:** Moore moved, seconded by Dittmer, to recommend deferred of the application pending additional information. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

Amanda Randall – Independent Mental Health Practitioner

**MOTION:** Dittmer moved, seconded by Hof, to recommend issuance of the license. A roll call vote was taken. Voting aye: Andrews, Battleson, Hof, Maxson (4). Voting nay: Dittmer, Moore (2). Absent: None (0). Abstain: Chambers, Gill, Reay, Ruma (4). Motion carried.

## **6. BOARD MEMBER PER DIEM DISCUSSION AND RECOMMENDATIONS (Neb. Rev. Stat. 38-171)**

The Board reviewed and discussed Per Diem and Expenses. Maxson questioned whether the wording of “representing the board at a national meeting of state licensing boards” needed clarification. It was explained that a member would be eligible for a per diem when the member was officially representing the board at the national meeting. Approval by the Board would be required and the minutes would reflect approval for attending the meeting prior to the meeting date.

**MOTION:** Andrews moved, seconded by Hof, to include a per diem for each day a member attended a public hearing on regulations” providing the regulations related to business of the board and the member was representing the Board. Approval by the Board would be required. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay, Ruma (10). Voting nay: None (0). Absent: None (0). Abstain: None (0). Motion carried.

11:42 a.m. Meeting break  
11:56 a.m. Meeting resumed

## **7. SET MEETING DATES FOR 2020**

Dates determined are: January 10, March 6, May 8, July 10, August 28, November 6.

12:10 p.m. Ruma departed meeting

## **8. UPDATES AND REPORTS**

### **a. Board News Articles for Web Posting.**

Gill requested assistance with editing her completed drafted articles. She is currently working on an article defining Major Mental Health, review of the statutes, and informed consent for 3rd parties. She will soon be working on her dissertation so would be slowing down on the articles. The Board suggested reviewing old articles to update instead of forming new articles. They also suggested the articles be put on hold until after the regulations are changed to include the new information.

### **b. Regulation Status**

- **172 NAC 94** (summary of information)
  - Chiles reported the public hearing for 172 NAC 94 was scheduled for 12.12.19 at 10 a.m., Room LLA. Regulations and the hearing notice can be viewed at: [https://www.nebraska.gov/nesos/rules-and-regs/regtrack/details.cgi?proposal\\_id=2115](https://www.nebraska.gov/nesos/rules-and-regs/regtrack/details.cgi?proposal_id=2115)
  - Chiles provided an overview of the process during and after the public hearings. She anticipated several testifiers and encouraged attendance by at least one board member; the hearing expected to last at least 2 hours.
  - It was reported that NSW was not in support of the sections relating to discrimination and referral.
  - Members asked about the Psychology regulations. Chiles reported that the public hearing for 172 NAC 155 (psychology people) and 172 NAC 158 (psychology fees) occurred in November. There was no opposing testimony. Chapter 156, Unprofessional Conduct and Chapter 157, Adoption of the APA Code are still being reviewed by the Board.

12:26 p.m. Hof departed the meeting  
12:27 p.m. Hof re-entered the meeting  
12:32 p.m. Gill departed the meeting

- **471 NAC 32 and others of interest**
  - No updates at this time.

12:36 p.m. Gill re-entered the meeting

### **c. Set Meeting Date to Review Regulation Hearing Comments and to Hold an Appeal Hearing for Denial of Reinstatement.**

The Board determined to review the regulation public hearing comments and to set the appeal hearing for 1.10.2020.

**d. Association and Committee Updates: AASCB <http://www.aascb.org> / AMFTRB <http://www.amftrb.org> / ASWB <http://www.aswb.org> / Justice Behavioral Health Committee**

AASCB: Ruma reported they are currently working on telecounseling. They formed 3 new committees to address any issues with telecounseling.

AMFTRB: Battleson reported he attended the AMFTRB Annual Meeting September 17–18, 2019 in Minneapolis, Minnesota in conjunction with the Council on Licensure Enforcement & Regulation (CLEAR) meeting. He shared with other states how Nebraska's board works and what we do well. He noted that other states are being asked to reduce regulation burden relating to reciprocity in order to ease mobility from state to state.

ASWB: Reay reported she is attending the Annual Meeting of the Delegate Assembly November 7–10, 2019. All expenses will be paid by ASWB.

Justice Behavioral Health Committee: Maxson reported he attended the Behavioral Health and Justice Conference, to be held at the Embassy Suites on October 28-30. The main discussion was about medication assisted treatments – changing the brain with certain medications to make treatment more effective. Reay and Maxson meet with Mark Shriver, Director of the Applied Behavior Analysis graduate training program at the University of Nebraska Omaha, on October 28, 2019 prior to the Behavioral Health and Justice Conference.

Points of discussion at the conference:

- They are attempting to create a separate license for Applied Behavior Analysts. They are practicing similar to Mental Health Practitioners but not in the same realm.
- They would like to begin the 407 process to create their own board similar to Mental Health Practice but with separate credentialing requirements and a separate definition.
- They are considering a 2 tier license.

**MOTION:** Andrews moved, seconded by Hof, to allow a per diem payment to Reay and Maxson for representing the Board at the meeting with Mark Shriver on October 28, 2019. A roll call vote was taken. Voting aye: Andrews, Battleson, Chambers, Dittmer, Gill, Hof, Maxson, Moore, Reay (9). Voting nay: None (0). Absent: Ruma (1). Abstain: None (0). Motion carried.

**e. Reports: Disciplinary and Non-Disciplinary Actions, Licensure Statistics, and Administrative Penalty Fees Assessed**

Disciplinary/Non-Disciplinary Report: The report beginning 1.1.2019 was circulated.

Examination Statistics since January 1, 2019:

AMFTRB:	4 pass, 2 fail
ASWB:	61 pass, 21 fail
NBCC-NCE:	64 pass, 22 fail
NCMHCE-DM:	15 pass, 21 fail
NCMHCE-IG:	32 pass, 3 fail
ASWB Master's:	1 pass
Jurisprudence:	22 pass

License and Certificate Statistics:

LIMHP:	200
MFT:	102
MSW:	978
CMSW:	31
LMHP:	2453
CPC:	945
PMSW:	337
PLMHP:	1110
SW:	582

Administrative Penalties: No administrative penalties were assessed since the last meeting of the Board.

Jurisprudence Statistics: The Board will review the jurisprudence results at their March meeting.

**9. CERTIFICATE OF SERVICE AND TERM ENDING 11.30.2019: CHANTE CHAMBERS – 3 YEARS**

Chambers was presented with an award for her 3 years of service as a member of the Board of Mental Health Practice.

**10. ADJOURNMENT**

There being no further business, Reay declared the meeting adjourned at 1:11 p.m.

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Thomas Maxson, Secretary  
Board of Mental Health Practice

Summarized by: Angela Andersen, Health Licensing Coordinator, Licensure Unit